

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18944.1. Recipient of the Gift: Passes or Tickets Given to an Agency.

Passes or tickets which provide admission or access to facilities, goods or services, or other tangible or intangible benefits (including passes to motion picture theaters, amusement parks, parking facilities, country clubs, and similar places or events, but not including travel or lodging), which are provided to an official are not gifts to the official whenever (a), (b), (c), (d), or (e) applies:

(a) The donor gives the tickets or passes to the official's agency, through a responsible official of the agency, for the sole purpose of distributing the passes or tickets to officials of the agency and their spouses and immediate families and use of the tickets or passes is so limited by the agency; and

The tickets or passes are not earmarked by the donor for any specific officials of the agency; and

The agency retains a written public record of the terms under which the tickets were accepted by the agency and the terms under which the tickets or passes were distributed and to whom they were distributed.

(b) The tickets or passes are provided to the agency for an event at a publicly-owned facility under the jurisdiction of the agency and neither the agency nor any official of the agency receiving or distributing the tickets or passes for the agency gives any of the tickets or passes to any person who is not an official of the agency, or not the official's spouse or immediate family member.

(c) The tickets or passes are provided to the agency as part of the contract for the use of

the facility and the distribution and use of the passes or tickets are regulated by an officially adopted policy of the agency.

(d) The tickets or passes are provided to the official of the agency for use by the official and his or her spouse and immediate family because the official has an official or ceremonial role or function to perform on behalf of the agency at the event in question.

(e) The tickets or passes are provided to an agency or officials of the agency for use at an event at a publicly-owned facility constructed or operated under the provisions of a joint exercise of powers agreement and such agency is a party to the joint exercise of powers agreement, and the distribution and use of the passes or tickets are regulated by an officially adopted policy of the agency.

Note: Authority cited: Section 83112, Government Code. Reference: Section 82028, Government Code.

HISTORY

1. Renumbering of former section 18726.7 to section 18944.1 with amendment of section heading filed 6-22-94; operative 6-22-94 (Register 94, No. 25).
2. Change without regulatory effect relocating section filed 11-17-94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).
3. Amendment of first paragraph and subsections (a)-(b) and (d)-(e) filed 7-25-95; operative 7-25-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 30).